

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q96012

Kiyotaka KUZUSHIMA

Appln. No.: 10/586,852

Group Art Unit: Not Yet Assigned

Confirmation No.: 1872

Examiner: Not Yet Assigned

Filed: July 20, 2006

For: EPITOPE/PEPTIDE RECOGNIZED BY HLA-A2402-RESTRICTED EP/CAM-SPECIFIC CTL AND USE OF THE SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT  
U.S. Appl. No.: 10/586,852

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. However, Applicant respectfully submits herewith Statement under 37 C.F.R. § 1.97(e).

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. JP 11-318455 A (JP 1999-318455 A) is cited on page 4 of the specification and Applicant includes an English language abstract;
2. JP 2000-116383 A is cited on page 5 of the specification and Applicant includes an English language abstract;
3. WO 2000/6595 is cited on page 5 of the specification;
4. JP 2001-245675 A is cited on page 5 of the specification and Applicant includes an English language abstract;
5. JP 2003-270 A is cited on page 5 of the specification and Applicant includes an English abstract;
6. JP 8-500103 A (JP 1996-500103 A) is cited on page 5 of the specification

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/586,852

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
Gordon Kit  
Registration No. 30,764

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: September 19, 2006

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number		10586852
	Filing Date		2003-07-20
	First Named Inventor	KUZUSHIMA, Kiyotaka	
	Art Unit		
	Examiner Name	Not Yet Assigned	
Attorney Docket Number		Q89012	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	6564232	B1	2003-12-16	ITOH et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S. PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS								
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1	97/15597	WO	A1	1997-05-01	GENTOGOR B.V.		<input type="checkbox"/>
	2	03/12066	WO	A1	2003-02-13	SIGMA-TAU INDUSTRIE FARMACEUTICHE RIUNITE S.P.A.		<input type="checkbox"/>
	3	00/06595	WO	A1	2000-02-10	ITOH et al.		<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number		1058852
Filing Date		2006-07-20
First Named Inventor	KUZUSHIMA, Kiyotaka	
Art Unit		
Examiner Name	Not Yet Assigned	
Attorney Docket Number	Q96012	

4	94/03435	WO	A1	1994-02-17	E.I. Du Pont De Nemours and Company		<input type="checkbox"/>
5	2 325 345	CA	A1	1999-10-14	GLAXO Group Limited		<input type="checkbox"/>
6	2002-510486	JP	A	2002-04-09	GLAXO Group Limited		<input type="checkbox"/>
7	01/36453	WO	A2	2001-05-25	LUDWIG Inst. et al.		<input type="checkbox"/>
8	2003-833175	JP	A	2003-11-11	LUDWIG Inst. et al.		<input type="checkbox"/>
9	01/23421	WO	A2	2001-04-05	CORIXA Corporation		<input type="checkbox"/>
10	2003-510334	JP	A	2003-03-18	CORIXA Corporation		<input type="checkbox"/>
11	11-318455	JP	A	1999-11-24			<input type="checkbox"/>
12	2000-116383	JP	A	2000-04-25			<input type="checkbox"/>
13	2001-245675	JP	A	2001-09-11			<input type="checkbox"/>
14	2003-270	JP	A	2003-01-07			<input type="checkbox"/>

**INFORMATION DISCLOSURE  
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Application Number		1058852
Filing Date		2006-07-20
First Named Inventor	KUZUSHIMA, Kiyotaka	
Art Unit		
Examiner Name	Not Yet Assigned	
Attorney Docket Number	Q95012	

15	8-500103	JP	A	1995-01-09	E.I. Du Pont De Nemours and Company	<input type="checkbox"/>
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If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	K.C. Parker, et al., "Scheme for ranking potential HLA-A2 binding peptides based on independent binding of individual peptide side-chains", Journal of Immunology, 1994, 152: 163-175	<input type="checkbox"/>
	2	K. Tajima et al., "Identification of an epitope from the epithelial cell adhesion molecule eliciting HLA-A*2402-restricted cytotoxic T-lymphocyte responses", Tissue Antigens, 2004, 64(6):650-659	<input type="checkbox"/>
	3	G.V. Ullenhag et al., "Immunization of colorectal carcinoma patients with a recombinant canarypox virus expressing the tumor antigen Ep-CAM/KSA (ALVAC-KSA) and granulocyte macrophage colony-stimulating factor induced a tumor-specific cellular immune response", Clin. Cancer Res., 2003, 9(7):2447-2456	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 601.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Not for submission under 37 CFR 1.99)

Application Number	10596552
Filing Date	2006-07-20
First Named Inventor	KUZUSHIMA, Kiyotaka
Art Unit	
Examiner Name	Not Yet Assigned
Attorney Docket Number	Q96012

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.15. Please see CFR 1.4(d) for the form of the signature.

Signature		Date (YYYY-MM-DD)	2006-09-19
Name/Print	Gordon Kit	Registration Number	30764

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**